

# House File 776 - Enrolled

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HOUSE FILE 776

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## AN ACT

RELATING TO GOVERNMENTAL FINANCIAL AND INFORMATION TECHNOLOGY  
ACTIVITIES, INCLUDING MEMBERSHIP IN STATE INSURANCE PLANS  
BY FORMER MEMBERS OF THE GENERAL ASSEMBLY, DESIGNATION OF  
A CHIEF INFORMATION OFFICER FOR THE STATE, COOPERATIVE  
PROCUREMENT AGREEMENTS, DISTRIBUTION OF STATE EMPLOYEE  
SALARY INFORMATION, SETOFF AUTHORITY FOR CAPITOL COMPLEX  
AND STATE LABORATORY PARKING FINES COLLECTION, SALES OF  
DISPOSED PERSONAL PROPERTY OF THE STATE BY NOT=FOR=PROFIT  
ORGANIZATIONS, A LOCAL GOVERNMENT SETOFF AUTHORITY PILOT  
PROJECT, AND PROVIDING FOR A STUDY CONCERNING CREDIT CARD  
PAYMENTS ACCEPTED BY GOVERNMENT.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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## DIVISION I

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Section 1. Section 2.40, subsection 1, unnumbered  
paragraph 2, Code 2005, is amended to read as follows:

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A member of the general assembly may elect to become a  
member of a state group insurance plan. A member of the  
general assembly may continue membership in a state group  
insurance plan without reapplication during the member's  
tenure as a member of consecutive general assemblies. For the  
purpose of electing to become a member of the state health or  
medical service group insurance plan, a member of the general  
assembly has the status of a "new hire", full-time state  
employee following each election of that member in a general  
or special election, or during the first subsequent annual  
open enrollment. In lieu of membership in a state health or  
medical group insurance plan, a member of the general assembly  
may elect to receive reimbursement for the costs paid by the  
member for a continuation of a group coverage (COBRA) health  
or medical insurance plan. The member shall apply for

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reimbursement by submitting evidence of payment for a COBRA  
health or medical insurance plan. The maximum reimbursement  
shall be no greater than the state's contribution for health  
or medical insurance family plan II. A member of the general  
assembly who elects to become a member of a state health or  
medical group insurance plan shall be exempted from  
preexisting medical condition waiting periods. A member of  
the general assembly may change programs or coverage under the  
state health or medical service group insurance plan during  
the month of January of odd-numbered years, but program and  
coverage change selections shall be subject to the enrollment  
rules established for full-time state employees excluded from  
collective bargaining as provided in chapter 20. A person who  
has been a member of the general assembly for two years and  
who has elected to be a member of a state health or medical  
group insurance plan may continue to be a member of such state  
health or medical group insurance plan by requesting  
continuation in writing to the finance officer within thirty=  
one days after leaving office. The continuing former member  
of the general assembly shall pay the total premium for the  
state plan and shall have the same rights to change programs  
or coverage as state employees. In the event of the death of  
a former member of the general assembly who has elected to  
continue to be a member of a state health or medical group  
insurance plan, the surviving spouse of the former member  
whose insurance would otherwise terminate because of the death  
of the former member may elect to continue to be a member of  
such state health or medical group insurance plan by  
requesting continuation in writing to the finance officer  
within thirty=one days after the death of the former member.  
The surviving spouse of the former member shall pay the total  
premium for the state plan and shall have the same rights to  
change programs or coverage as state employees. For purposes  
of this paragraph, health or medical programs or coverage and  
dental programs or coverage are to be treated separately and  
the rights to change programs or coverage apply only to the  
type of programs or coverage that the continuing former member  
has elected to continue. This paragraph shall not be  
construed to permit a former member to become a member of a  
state health or medical group insurance plan providing

3 6 programs or coverage of a type that the former member did not  
3 7 elect to continue pursuant to this paragraph.

3 8 Sec. 2. Section 8A.104, subsection 12, Code 2005, is  
3 9 amended to read as follows:

3 10 12. Serve as the chief information officer for the state.  
3 11 However, the director may designate a person in the department  
3 12 to serve in this capacity at the discretion of the director.  
3 13 If the director designates a person to serve as chief  
3 14 information officer, the person designated shall be  
3 15 professionally qualified by education and have no less than  
3 16 five years' experience in the fields of information technology  
3 17 and financial management.

3 18 Sec. 3. Section 8A.311, Code 2005, is amended by adding  
3 19 the following new subsection:

3 20 NEW SUBSECTION. 3A. The director may enter into a  
3 21 cooperative procurement agreement with another governmental  
3 22 entity relating to the procurement of goods or services,  
3 23 whether the goods or services are for the use of the  
3 24 department or other governmental entities. The cooperative  
3 25 procurement agreement shall clearly specify the purpose of the  
3 26 agreement and the method by which that purpose will be  
3 27 accomplished. Any power exercised under the agreement shall  
3 28 not exceed the power granted to any party to the agreement.

3 29 Sec. 4. Section 8A.323, subsection 4, Code 2005, is  
3 30 amended to read as follows:

3 31 4. All Except as provided in subsection 5, all fines  
3 32 collected by the department shall be forwarded to the  
3 33 treasurer of state and deposited in the general fund of the  
3 34 state.

3 35 Sec. 5. Section 8A.323, Code 2005, is amended by adding  
4 1 the following new subsection:

4 2 NEW SUBSECTION. 5. Any fine that remains unpaid upon  
4 3 becoming delinquent may be collected by the department  
4 4 pursuant to the setoff procedures provided for in section  
4 5 8A.504. For purposes of this subsection, a fine becomes  
4 6 delinquent if it has not been paid within thirty days of the  
4 7 date of the issuance of the parking citation, unless a written  
4 8 request for a hearing is filed as provided pursuant to the  
4 9 rules of the department. If an appeal is filed and the  
4 10 citation is upheld, the fine becomes delinquent ten days after  
4 11 the issuance of the final decision on the appeal or thirty-one  
4 12 days after the date of the issuance of the parking citation,  
4 13 whichever is later.

4 14 Sec. 6. Section 8A.324, subsection 2, Code 2005, is  
4 15 amended by adding the following new unnumbered paragraph:

4 16 NEW UNNUMBERED PARAGRAPH. A not-for-profit organization or  
4 17 governmental agency that enters into an agreement with the  
4 18 director pursuant to this subsection may sell or otherwise  
4 19 transfer the personal property received from the department to  
4 20 any person that the department would be able to sell or  
4 21 otherwise transfer such property to under this chapter,  
4 22 including, but not limited to, the general public. The  
4 23 authority granted to sell or otherwise transfer personal  
4 24 property pursuant to this paragraph supersedes any other  
4 25 restrictions applicable to the not-for-profit organization or  
4 26 governmental entity, but only for purposes of the personal  
4 27 property received from the department.

4 28 Sec. 7. Section 8A.341, subsection 2, Code 2005, is  
4 29 amended to read as follows:

4 30 2. If money is appropriated for this purpose, by November  
4 31 1 of each year supply a report which contains the name,  
4 32 gender, county, or city of residence when possible, official  
4 33 title, salary received during the previous fiscal year, base  
4 34 salary as computed on July 1 of the current fiscal year, and  
4 35 traveling and subsistence expense of the personnel of each of  
5 1 the departments, boards, and commissions of the state  
5 2 government except personnel who receive an annual salary of  
5 3 less than one thousand dollars. The number of the personnel  
5 4 and the total amount received by them shall be shown for each  
5 5 department in the report. All employees who have drawn  
5 6 salaries, fees, or expense allowances from more than one  
5 7 department or subdivision shall be listed separately under the  
5 8 proper departmental heading. On the request of the director,  
5 9 the head of each department, board, or commission shall  
5 10 furnish the data covering that agency. The report shall be  
5 11 distributed upon request without charge in an electronic  
5 12 medium to each caucus of the general assembly, the legislative  
5 13 services agency, the chief clerk of the house of  
5 14 representatives, and the secretary of the senate. Copies of  
5 15 the report shall be made available to other persons in ~~both~~  
5 16 ~~print or an~~ electronic medium upon payment of a fee, which

5 17 shall not exceed the cost of providing the copy of the report.  
5 18 Sections 22.2 through 22.6 apply to the report. All funds  
5 19 from the sale of the report shall be deposited in the printing  
5 20 revolving fund established in section 8A.345. ~~Requests for~~  
~~5 21 print publications shall be handled only upon receipt of~~  
~~5 22 postage by the director.~~

5 23 Sec. 8. LOCAL GOVERNMENT SETOFF PILOT PROJECT.  
5 24 Notwithstanding any provision of section 8A.504 to the  
5 25 contrary, the department of administrative services may enter  
5 26 into agreements with no more than five political subdivisions  
5 27 of the state to allow the political subdivisions to be  
5 28 eligible to participate in the setoff procedures provided in  
5 29 section 8A.504.

5 30 DIVISION II

5 31 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES == E=  
5 32 COMMERCE STUDY == REPORT. It is the intent of the general  
5 33 assembly to encourage the use of electronic transactions with  
5 34 regard to the state's dealings with the citizens of Iowa and  
5 35 other persons. The department of administrative services  
6 1 shall develop recommendations, including proposed legislation,  
6 2 to encourage the use of electronic commerce, including the  
6 3 acceptance of credit card payments, with regard to  
6 4 transactions involving the state. The department shall  
6 5 consult with the state treasurer, state entities currently  
6 6 accepting credit card payments, and any other state entities  
6 7 identified as considering the acceptance of credit card  
6 8 payments when developing the recommendations. The department  
6 9 shall deliver a report to the general assembly by January 20,  
6 10 2006, including any recommendations, proposed legislation, and  
6 11 other related information, including cost information  
6 12 associated with credit card payments.

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6 17 CHRISTOPHER C. RANTS  
6 18 Speaker of the House

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6 22 JOHN P. KIBBIE  
6 23 President of the Senate

6 24 I hereby certify that this bill originated in the House and  
6 25 is known as House File 776, Eighty-first General Assembly.

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6 29 MARGARET THOMSON  
6 30 Chief Clerk of the House

6 31 Approved \_\_\_\_\_, 2005

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6 35 THOMAS J. VILSACK

7 1 Governor